

FILED

MAY 17 2005

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION


CLERK

CHARLES A. BROWN,

CIV 04-3010

Petitioner,

-vs-

ORDER AND OPINION DENYING
MOTION FOR RECONSIDERATION

UNITED STATES OF AMERICA,

Respondent.

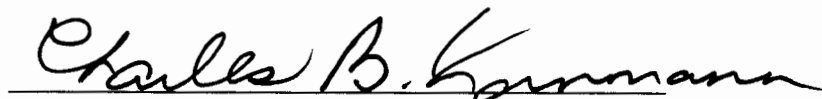
Petitioner's motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255 was denied on April 21, 2005. He has filed a motion (Doc. 13) for reconsideration. The Federal Rules of Civil Procedure do not allow a request to reconsider. Anthony v. Runyon, 76 F.3d 210, 215 (8th Cir. 1996), Humphreys v. Roche Biomedical Laboratories, Inc., 990 F.2d 1078, 1081 (8th Cir. 1993); and In re Trout, 984 F.2d 977, 978 (8th Cir. 1993) (warning counsel that the Federal Rules of Civil Procedure do not provide for a motion for reconsideration and directing counsel to properly designate a motion under the rule authorizing the motion).

Now, therefore,

IT IS ORDERED that the motion (Doc. 13) for reconsideration is denied.

Dated this 17th day of May, 2005.

BY THE COURT:


CHARLES B. KORNMANN
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: 

DEPUTY

(SEAL)